

## **REMARKS/ARGUMENTS**

### **1. Claim Amendments**

The Applicant has amended claims 1 and 26. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-6, 8, 13-15, 17-18, 23-25, 26-31, 33, 38-40, 42-43 and 48-50 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

### **2. Claim Rejections – 35 U.S.C. § 102(e)**

Claims 1, 23, 26 and 48 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication Number (US 2005/0181799 (Laroia et al) (With priority to U.S. Provisional Patent Application Number 60/464,823 filed 04/23/2003). Applicant has amended claims 1 and 26 to better distinguish the present invention from the cited reference. The Examiner stated:

Regarding claim 1, 23, 26 and 48, Laroia teaches a method in a radio communications equipment having processing circuitry for processing communications of traffic [Figure 18, page 12, paragraph 0106; i.e. wireless terminal includes a receiver, a transmitter, I/O devices, a processor, e.g., a CPU, and a memory coupled together via bus over which the various elements may interchange data and information] with different characteristics wherein traffic from at least two information sources is divided into two or more categories including a first and a second category for transfer with different characteristics, the method comprising transmitting the traffic for the transfer with different characteristics on physically wholly or partially separated channels [Figure 19, Step 1904; i.e. a base station is operated to generate and transmit signals, e.g., pilot signals, for each of a plurality of different wireless communications channels, which the base station can use to communicate information between the base station and a wireless communications terminal, said plurality of different wireless communications channels including at least a first communications channel and a second communication channel, the first and the second communications channels having different quality characteristics which

are a function of first and second transmission technologies used to establish said communications channels, said first and second technologies being different].

The cited portions of Laroia (from the regular application) are as follows:

*[0106] FIG. 18 illustrates an exemplary wireless terminal 1800, implemented in accordance with the present invention. Exemplary wireless terminal 1800 may be a more detailed representation of any of the WTs 1606, 1608, 1618, 1620 of exemplary system wireless communication system 1600 of FIG. 16. WT 1800 includes a receiver 1802, a transmitter 1804, I/O devices 1806, a processor, e.g., a CPU, 1808, and a memory 1810 coupled together via bus 1812 over which the various elements may interchange data and information. Receiver 1802 is coupled to antenna 1814. In some embodiments, e.g., MIMO embodiments, the receiver is coupled to additional antenna(s), antenna N 1815. Transmitter 1804 is coupled to antenna 1816. In some embodiments, e.g., using multiple uplink parallel pipes, multiple additional antenna(s), antenna N 1817, may be coupled to transmitter 1804. In some embodiments, a single antenna may be used in place of the two individual antennas 1814 and 1816.*

Figure 19 is described as follows (emphasis added):

*[0120] FIG. 19 is a flowchart 1900 illustrating an exemplary communications method in accordance with the present invention. Operation starts in step 1902 where the communications system is powered on and initialized. In step 1904 a base station is operated to generate and transmit signals, e.g., pilot signals, for each of a plurality of different wireless communications channels, which the base station can use to communicate information between the base station and a wireless communications terminal, said plurality of different wireless communications channels including at least a first communications channel and a second communications channel, the first and the second communications channels having different quality characteristics which are a function of first and second transmission technologies used to establish said communications channels, said first and second technologies being different. In some embodiments, the first and second technologies are different access technologies, e.g., different incompatible access technologies. In some embodiments, the different access technologies include at least two of the following technologies: CDMA, OFDM, and single carrier technology. In some embodiments, the different*

*access technologies include frequency hopping technologies and non-frequency hopping technologies. In some embodiments, the different access technologies include different technologies defined on different technology standards which are incompatible as indicated by neither of the two standards complying to the other. Operation proceeds from step 1904 to step 1906.*

Claims 1 and 26 now claim processing traffic from at least two information sources, being speech/voice traffic and user data traffic. In contrast, Laroia discloses multiple pilot signals (which is control data), and a single traffic stream being sent over one of a possible multiple channels. Support for the amendment can be found at least in Figure 4, and the description thereof.

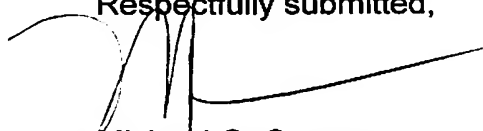
Claims 2-5, 8, 13-15, 17-18 and 23-25 depend from amended claim 1 and recite further limitations in combination with the novel elements of claim 1. Claims 27-31, 33, 38-40, 42-43 and 48-50 depend from amended claim 26 and recite further limitations in combination with the novel elements of claim 26. Therefore, the allowance of claims 1-5, 8, 13-15, 17-18, 23-31, 33, 38-40, 42-43 and 48-50 is respectfully requested.

### **CONCLUSION**

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael G. Cameron', is written over a horizontal line.

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